

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALEXANDER ARBUCKLE and JAVIER SORIANO ,

Plaintiffs,

-against-

NOTICE OF MOTION

14 CV 10248 (ER)

THE CITY OF NEW YORK; NEW YORK CITY POLICE DEPARTMENT ("NYPD") CHIEF OF PATROL JAMES P. HALL; NYPD DEPUTY COMMISSIONER OF LEGAL MATTERS ("DCLM") OFFICER KEVIN O'DONNELL; NYPD CAPTAIN WILLIAM TAYLOR; NYPD SERGEANT RICKIE KNAPP; NYPD SERGEANT SALVATORE FERRO, SHIELD NO. 02819, NYPD OFFICER ELISHEBA VERA, SHIELD NO. 25318; NYPD OFFICER FREDDY YNOA, SHIELD NO. 18851; and NYPD OFFICER DENISE PITRE, SHIELD NO. 14589

Defendants.

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PLEASE TAKE NOTICE that upon the Declaration of Lamar D. Winslow, dated November 20, 2015, the exhibit(s) annexed thereto, the accompanying Memorandum of Law, dated November 20, 2015, and all pleadings and proceedings previously had herein, Defendants City of New York, Chief James Hall, Detective Kenneth O'Donnell, Deputy Inspector William Taylor, Sergeant Rickie Knapp, Sergeant Salvatore Ferro, Officer Elisheba Vera, Sergeant Freddy Ynoa and Officer Denise Pitre will move before the Honorable Edgardo Ramos, on November 20, 2015, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York for an Order pursuant to Fed. R. Civ. P. 12(b)(6), to dismiss the First Amended Complaint against defendants for plaintiffs' failure to state a claim upon which relief can be granted and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to Local Rule 6.1, any opposing affidavits and answering memoranda shall be served within fourteen days after service of the moving papers, and any reply affidavits and memoranda of law shall be served within seven days after service of the answering papers.

Dated: New York, New York
November 20, 2015

ZACHARY CARTER
Corporation Counsel of the City of New York
Attorney for Defendants
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By: /s/
Joy Anakhu, Lamar Winslow
Assistant Corporation Counsel
Special Federal Litigation Division

TO: The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Gideon Orion Oliver
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